

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW 2190**



A Bylaw to Establish
A Community Amenity Reserve Fund

The CITY COUNCIL of the Corporation of the City of White Rock, in open meeting assembled, ENACTS as follows:

Interpretation

1. In this bylaw,

“Amenity” means a community asset owned or held by the City or designate of the City, and includes but is not limited to:

- (a) a building or space within a building for civic uses, including meeting or convention space,
- (b) the provision and improvement of new publicly accessible open space, including a public square and/or pedestrian routes, either through dedication, easement, statutory right-of-way or covenant,
- (c) the improvement of existing publicly accessible open space and/or pedestrian routes,
- (d) underground publicly accessible parking,
- (e) publicly accessible parking,
- (f) outdoor public art,
- (g) a transit station, “bus loop” and/or transit shelters,
- (h) special needs or non-market affordable housing,
- (i) transportation and transit services, including people movement infrastructure (e.g. outdoor escalators, funiculars, or gondola) to link Uptown to the Waterfront,

- (j) other land,
- (k) a park or other public place,
- (l) park improvements, including playgrounds,
- (m) landscaping of City land,
- (n) a library, a museum or archive,
- (o) an arts and cultural centre
- (p) a child care facility,
- (q) a community centre,
- (r) a recreation facility,
- (s) heritage conservation,
- (t) City meeting and administration facilities,
- (u) a greenhouse gas reduction measure,
- (v) a community energy facility, or
- (w) similar things that benefit the City and the well being of its community;

“Amenity Zoning Bylaw” means a bylaw under the *Local Government Act* that authorizes increased density if the owner provides the Amenity specified in the bylaw, or pays the City the cash in lieu of the Amenity as set out in the bylaw;

“Annual Financial Plan” means, in each calendar year, the financial plan as adopted, or amended, by the Council of the City under the *Community Charter*;

“Director of Financial Services” means that individual assigned the responsibility of financial administration under the *Community Charter*;

“Community Amenity Contribution” means cash in lieu of the provision of an Amenity;

“Fund” means the Community Amenity Fund established by this Bylaw;

“Phased Development Agreement” means an agreement authorized by a Phased Development Agreement bylaw under the *Local Government Act* that requires an owner to provide the Amenity specified in the agreement, or to pay the City the cash in lieu of the Amenity as set out in the agreement;

“Prevailing Rate” means, in any given year, the average annual rate of interest earned by investments by the Director of Financial Services on behalf of the City.

Establishment of Community Amenity Reserve Fund

2. There is established a reserve Fund to be known as the “Community Amenity Reserve Fund” for the specified purpose of receiving and spending monies for Amenities.

Contributions to Fund

3. The Fund shall be made up of:
 - (a) monies paid to the City by persons as cash in lieu of the provision of Amenities under a Phased Development Agreement;
 - (b) monies paid to the City by persons as cash in lieu of the provision of Amenities under an Amenity Zoning Bylaw;
 - (c) monies paid to the City by persons as gifts to be used only for the provision of Amenities;
 - (d) interest earned at the Prevailing Rate on the average annual balance in the Fund; and
 - (e) any other amounts designated by the City Council as contributions to the Fund.

Use of the Fund

4. The Fund may be used for the purpose of paying for Amenities, including by repaying other reserve funds money transferred from those funds for Amenities and any interest payable in respect of the money transferred.

Severability

5. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

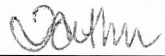
Citation

6. This Bylaw may be cited for all purposes as the "*Community Amenity Reserve Fund Bylaw, 2017, No. 2190*".

| | | |
|--------------------------------|-------------------------|-------------|
| RECEIVED FIRST READING on the | 27 th day of | March, 2017 |
| RECEIVED SECOND READING on the | 27 th day of | March, 2017 |
| RECEIVED THIRD READING on the | 27 th day of | March, 2017 |
| ADOPTED on the | 10 th day of | April, 2017 |



MAYOR



CITY CLERK